

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 21.09.2017

CORAM :

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR**CRL OP(MD)No.11084 of 2017****and****CRL MP(MD)Nos.7574 & 7575 of 2017**

V.Jayalakshmi

: Petitioner

Vs.

1. The Superintendent of Police,
CBCID, No.220, Pantheon Road,
Egmore, Chennai-600 008.
2. The Superintendent of Police,
Vellore, Vellore District.
3. The Superintendent of Police,
Trichy, Trichy District.
4. The Inspector of Police,
Cantonment Police Station,
Trichy, Trichy District.
(Crime No.589/2016)
5. The Inspector of Police,
Kandili Police Station,
Vellore District,
(Crime No.287/2016)
6. The Director General of Police, (DGP, L & O)
Tamil Nadu Police Head Quarters,
Dr.Radhakrishnan Salai,
Mylapore, Chennai.

: Respondents

(R6 impleaded as per order of this Court made in Crl.M.P.(MD)
No.7911 of 2017 in Crl.O.P(MD)No.11084 of 2017 dated 30.08.2017)

PRAYER: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to direct the respondents to club the Crime No.589/2016 on the file of the 4th respondent and in Crime No.287/2016 on the file of the 5th respondent and transfer the investigation from 4th and 5th respondents to the 1st respondent



herein and to file final report within a stipulated period fixed by this Court.

For Petitioner : Mr.J.Jeyakumaran
For Respondents : Mr.K.Anbarasan,
Government Advocate(Crl.Side).

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O R D E R

This Criminal Original Petition is filed for issuance of a direction to the respondents to club the Crime No.589/2016 on the file of the 4th respondent and Crime No.287/2016 on the file of the 5th respondent and transfer the investigation from 4th and 5th respondents to the 1st respondent namely the Superintendent of Police, CBCID.

2.Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Criminal side) appearing for the respondents.

3.The case of the petitioner is that her husband, namely Veeramani had an Innova car, bearing Registration number TN 48 T 3805. He was the Driver cum Owner and running a travel business near Central Bus Stand, Trichy.

4.It is further stated that her husband was missing on 17.10.2016 and she gave a complaint for her missing husband. Later the petitioner was informed that an unknown body was lying in Tirupathur-Krishnagiri State High Ways, within the jurisdiction of 5th respondent and that the First Information Report was registered in Crime No.287/2016 under Section 174 of CR.P.C on 08.10.2016. It was further stated that his body was identified as that of the petitioner's husband, and the post mortem was conducted. It is also stated that the 5th respondent has conducted the investigation, after altering the offence under Section 174 of Cr.P.C. in to one under Section 364, 302, 379 of I.P.C on 10.10.2016.

5.Since the respondents 4 and 5 have not taken any steps and proper investigation was not conducted, the petitioner states that the police have not shown interest to complete the investigation and to file the final report and for the Past more than 10 months there was no remarkable progress.

6.It is stated by the petitioner that she had preferred a complaint to the Director General of Police to transfer the investigation. Since the representation given to the Director General of Police, was not considered, the learned counsel for the petitioner states that she was constrained to transfer the petition.



7. Having regard to the peculiar facts, this Court is inclined to pass the following order.

"The 6th respondent namely the Director General of Police (L & O), is directed to club Crime No.589/2016 on the file of the 4th respondent and crime No.287/2016 on the file of the 5th respondent and transfer the investigation of both cases from respondents 4 and 5 to the 1st respondent or any other competent authority who shall file a final report within a period of six months from the date of receipt of a copy of this order."

8. With the above direction, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

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Egmore, Chennai-600 008.
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5. The Inspector of Police,
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6. The Director General of Police, (DGP, L & O)
Tamil Nadu Police Head Quarters,
Dr.Radhakrishnan Salai,
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CRL OP (MD) No. 11084 of 2017
and

CRL MP (MD) Nos. 7574 & 7575 of 2017
21.09.2017